

IN RE U.S. PATENT APPLICATION
APPLICATION NUMBER 10/613,374

Attorney Docket No. 1998B037A/2

CONFIRMATION NUMBER 7181

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re: Request for Reconsideration
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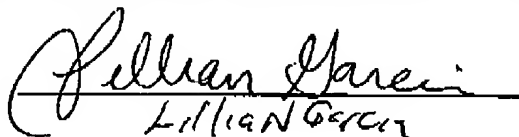
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/613,374
Applicants : S. Datta et al.
Filed : July 3, 2003
TC/A.U. : 1711
Examiner : Nathan M. Nutter

Confirmation No. 7181

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Docket No. : 1998B037A/2
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Hon. Commissioner for Patents
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May 21, 2004

REQUEST FOR RECONSIDERATION

Sir:

This request for reconsideration responds to the Office Action signed by the Examiner on May 11, 2004, in which the Examiner stated that Applicants' Amendment filed on April 22, 2004, is non-responsive. Applicants gratefully acknowledge the interview on May 20, 2004, in which the Examiner stated that he would reconsider entry of Applicants' Amendment upon submission of a request for reconsideration.

The Amendment of April 22, 2004 ("the Amendment"), cancelled then-pending claims 1-31 and presented new claims 32-48. Cancelled claims 1-31 were directed to blends comprising two propylene polymer components, the blends and the polymer components having various properties. Cancelled claims 1-31 have been presented in a new continuation application, Serial No. 10/830,563, also filed on April 22, 2004.

Applicants presented new claims 32-48 for the purpose of provoking interference with two applications, Serial Nos. 10/289,122 and 10/289,168 ("the Stevens and Tau applications"). New claims 32-48 are drawn to blends comprising two propylene polymer

components and articles of manufacture made from such blends. As explained in the Amendment, new claims 32-48 are patterned after certain claims in the Stevens and Tau applications. While the particular limitations of new claims 32-48 differ from the limitations of cancelled claims 1-31, the two sets of claims define substantially overlapping subject matter.

Most of the property-based limitations in the claims of the Stevens and Tau applications – for example, the limitations relating to B-value, skewness, and DSC – were unconventional to those skilled in the art at the time the applications were filed. Applicants determined that at least some of these properties claimed by the Stevens and Tau applications were inherently disclosed by at least certain of Applicants' exemplary blends and polymers more than three years prior to the earliest filing dates of the Stevens and Tau applications. This determination is fully explained in the Amendment, the two Requests for Interference that accompanied the Amendment, and the supporting evidence submitted therewith. On this basis, Applicants added new claims 32-48, which are patterned after claims in the Stevens and Tau applications.

The same exemplary blends that support Applicants' new claims 32-48 also embody the subject matters of at least certain of Applicants' cancelled claims 1-31. Accordingly, there is substantial overlap in the subject matters of new claims 32-48 and cancelled claims 1-31.

For the reasons stated above, Applicants respectfully request that the Amendment of April 22, 2004, be entered, and that the two related Requests for Interference be promptly considered.

Respectfully submitted,



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